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 11 PHILIPS LUMILEDS LIGHTING COMPANY,  
 LLC

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 OAKLAND DIVISION

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 17 EPISTAR CORPORATION,  
 18 Plaintiff,  
 19 v.  
 20 PHILIPS LUMILEDS LIGHTING  
 21 COMPANY, LLC,  
 22 Defendant.

23 AND RELATED COUNTERCLAIMS

24 Case No. C-07-5194 CW

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 26  
**27 ADMINISTRATIVE REQUEST TO FILE  
 28 UNDER SEAL PURSUANT TO CIVIL L.R.  
 79-5 PHILIPS LUMILEDS LIGHTING  
 COMPANY'S REPLY IN SUPPORT OF  
 ITS MOTION FOR JUDGMENT ON THE  
 PLEADINGS AND EXHIBITS A AND B TO  
 THE DECLARATION OF RYAN SCHER  
 IN SUPPORT OF PHILIPS LUMILEDS  
 LIGHTING COMPANY'S REPLY IN  
 SUPPORT OF ITS MOTION FOR  
 JUDGMENT ON THE PLEADINGS**

Pursuant to Civil L.R. 79-5, Philips Lumileds Lighting Company, LLC (“Lumileds”) requests the following documents to be filed under seal. These documents are confidential and subject to one or more of the following Protective Orders: (1) the Protective Order entered by the administrative law judge in the ITC Investigation *In the Matter of Certain High-Brightness Light Emitting Diodes and Products Containing Same*, USITC Inv. No. 337-TA-556, attached as Exhibit A to the Declaration of Andrew J. Wu in Support of Philips Lumileds Lighting Company’s Motion to Stay (“Wu Declaration”), filed with this Court on January 31, 2008, with Lumileds’ motion to stay the present litigation; (2) the Stipulated Protective Order in the case *Lumileds Lighting U.S., LLC v. Epistar Corporation*, Case No. 02-5077 CW (EAI) (N.D. Cal.), attached as Exhibit A to the Declaration of Michael Lyons in Support of Lumileds Administrative Request to File Under Seal Lumileds’ Motion for Summary Judgment and Exhibits to the Declaration of Ryan Scher in Support of Lumileds Motions for Summary Judgment in the present litigation [D.I. 61]; and (3) the Protective Order in the case *United Epitaxy Co., Ltd. v. Hewlett-Packard Co.*, No. C00-2518 CW (N.D. Cal.), attached as Exhibit B to the Declaration of Michael Lyons in Support of Lumileds Administrative Request to File Under Seal Lumileds’ Motion for Summary Judgment and Exhibits to the Declaration of Ryan Scher in Support of Lumileds Motions for Summary Judgment in the present litigation [D.I. 61] (collectively, the “Protective Orders”).

1. Philips Lumileds Lighting Company, LLC’s Reply In Support of Its Motion for Judgment on the Pleadings contains information designated by Lumileds and Epistar Corporation as confidential and subject to one or more of the Protective Orders.

2. Exhibit A to the Declaration of Ryan Scher in Support of Philips Lumileds Lighting Company, LLC’s Reply in Support of Its Motion for Judgment on the Pleadings is a true and correct copy of the Commission Opinion on Violation, Remedy, the Public Interest, and Bonding, issued May 9, 2007, in the ITC’s investigation *In the Matter of Certain High-Brightness Light Emitting Diodes and Products Containing Same*, USITC Inv. No. 337-TA-556. This document contains information designated by Lumileds and Epistar Corporation as confidential and subject to one or more of the Protective Orders.

1           3.     Exhibit B to the Declaration of Ryan Scher in Support of Philips Lumileds  
 2 Lighting Company, LLC's Reply in Support of Its Motion for Judgment on the Pleadings is a true  
 3 and correct copy of excerpted pages 71-78 regarding "Licensing Defense for MB and OMA  
 4 Products" from the Initial Determination, issued January 8, 2007, in the ITC's investigation *In the*  
 5 *Matter of Certain High-Brightness Light Emitting Diodes and Products Containing Same*, USITC  
 6 Inv. No. 337-TA-556. This document contains information designated by Lumileds and Epistar  
 7 Corporation as confidential and subject to one or more of the Protective Orders.

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 9           Lumileds will lodge the aforementioned documents in hard copy with the Court as well as  
 10 lodge a redacted version of the Reply in Support of Its Motion for Judgment on the Pleadings.  
 11 This request is supported by the following declaration.

12           For the foregoing reasons, Lumileds requests that the Court order the above documents  
 13 sealed pursuant to the Protective Order entered by the administrative law judge in the ITC  
 14 Investigation.

15           Dated: July 24, 2008

16           Respectfully Submitted,

17           MORGAN, LEWIS & BOCKIUS LLP

18           By /s/ Michael J. Lyons  
 19           Michael J. Lyons  
 20           Attorneys for Defendant and  
 21           Counterclaimant  
 22           Phillips Lumileds Lighting Company, LLC

23           I, Michael J. Lyons, declare as follows:

24           1.     I am an attorney at the law firm of Morgan, Lewis & Bockius LLP, attorneys for  
 25 Philips Lumileds Lighting Company, LLC. I am a member in good standing of the Bar of the  
 26 State of California and admitted to practice in the United States District Court for the Northern  
 27 District of California. I submit this declaration in support of the above Administrative Request to  
 28 File Documents Under Seal Pursuant to Civil L.R. 79-5.

1           2. I have personal knowledge of each statement set forth in the Administrative  
2 Request to File Under Seal Pursuant to Civil L.R. 79-5, and each such statement is true and  
3 correct.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this  
the 24th day of July 2008 in Palo Alto, California.

/s/ Michael J. Lyons

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**MORGAN, LEWIS &  
BOCKIUS LLP**  
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